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***Our staff is working remotely as required by government directive during the COVID crisis.  
Accordingly our office will only be transmitting and accepting communications and pleadings via  
email.***

March 4, 2021

**Via Email - pstern@kimlf.com**

Philip D. Stern, Esq.  
Kim law Firm, LLC  
411 Hackensack Ave., Suite 701  
Hackensack, NJ 07601

RE: Levins v. HRRG  
Docket No.: 1:17-cv-928-RBK-KMW  
Our File No.: 447-102973(SXK/CMS)

Dear Mr. Stern:

Defendant hereby amends its discovery responses, subject to all prior objections, in response to your February 16, 2021 letter as follows:

**A. Number Of N.J. Consumers Who Received A Telephone Message In Which The Caller Was Identified As Only "ARS"**

Objection. This interrogatory is overly broad and vague. The proposed class as defined by Plaintiffs would include individuals beyond those who potentially received messages that could violate the FDCPA based on this Court's rulings. The act of leaving the message in question on an individual's answering machine does not itself constitute a violation of the FDCPA. Rather, the nature and extent of the prior contact between the Defendant and the individual consumer must be analyzed.

Moreover, Defendant has determined that in many instances although Defendant's system may have attempted to leave the message in question, the recipient's voicemail system may have disconnected the call prior to the entirety of the message being left and/or for other technical reasons the complete message was not left on the debtor's answering machine.

Without waiving same, a total of 65,864 New Jersey consumers received complete answering machine messages which identified the caller as "ARS," from February 12, 2016 through February 12, 2017 (the date the original complaint was filed).

{NJ188623.1}

Philadelphia  
Pennsylvania

Pittsburgh  
Pennsylvania

New York  
New York

Westchester County  
New York

Wilmington  
Delaware

Towson  
Maryland

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**B. The Contact Information For Each N.J. Consumer Who Received A Message**

Subject to all prior objections, see attached.

Very truly yours,

**MARKS, O'NEILL, O'BRIEN,  
DOHERTY & KELLY, P.C.**

/s/ Christian M. Scheuerman

Christian M. Scheuerman

CMS/jad

Encls.